

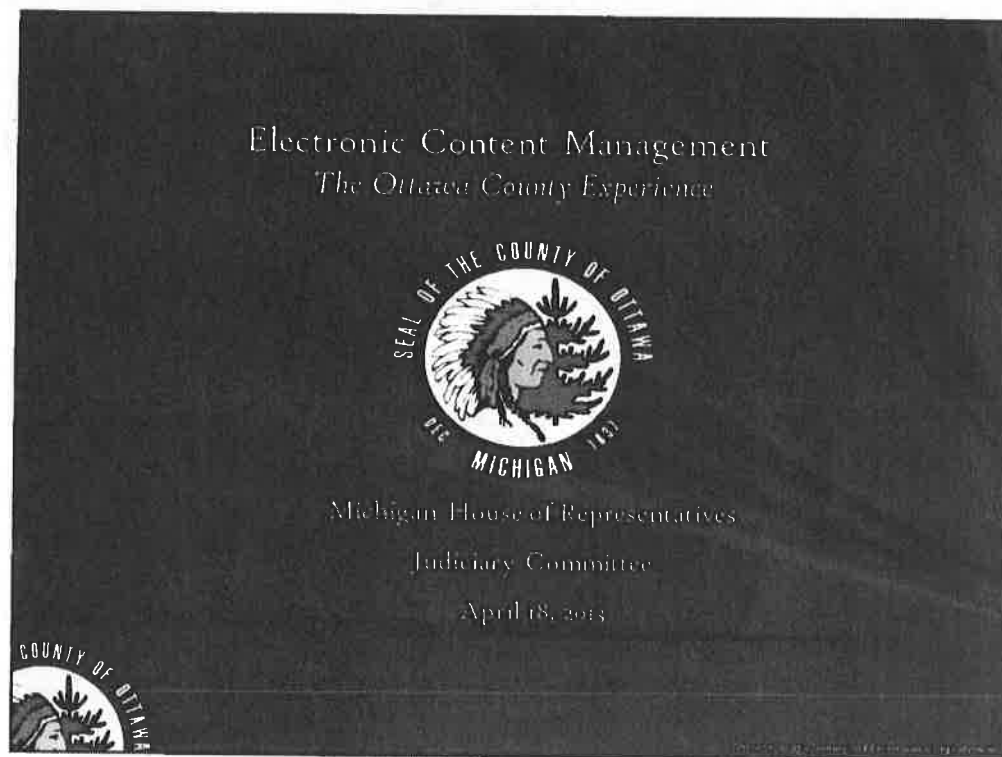
Electronic Content Management  
*The Ottawa County Experience*



Michigan House of Representatives

Judiciary Committee

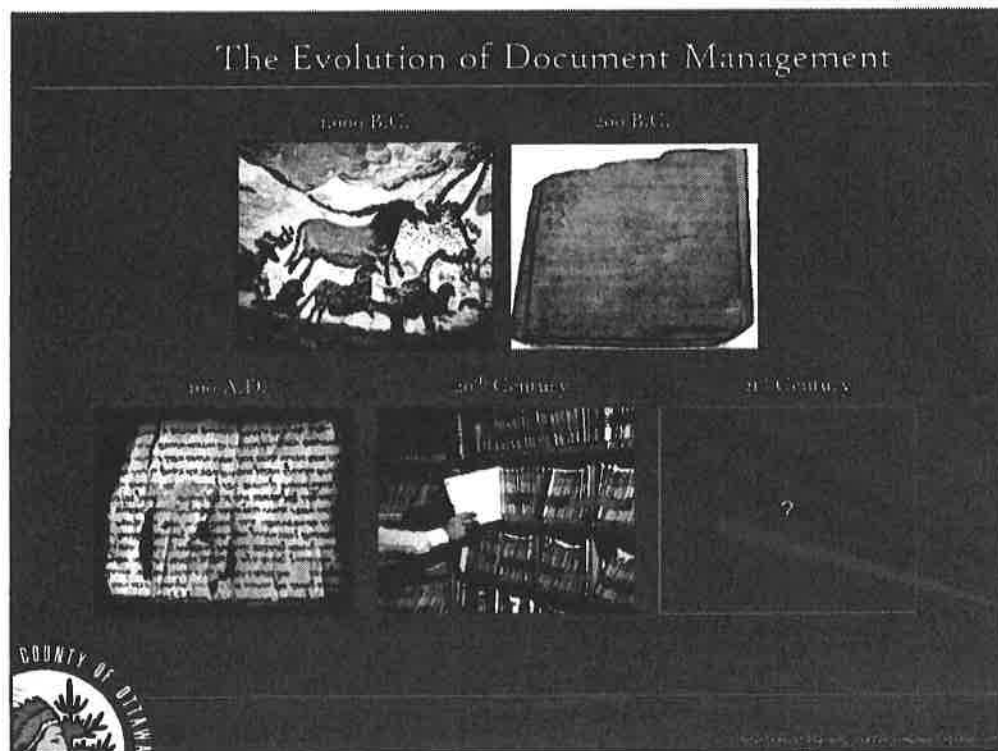
April 18, 2013



**Chairman Cotter, Vice Chairs Kesto and Cavanagh, Committee members...**

**Good morning. My name is Kevin Bowling and I am the Court Administrator/Attorney Referee for the 20<sup>th</sup> Circuit Court and Ottawa County Probate Court.**

**Thank you for the opportunity to speak with you in support of HB 4532 and our experience with Electronic Content Management (ECM) of court files. I also wish to thank Representative Price for introducing this important legislation and inviting me to briefly share this information with you.**



**We all rely on the written word to serve our constituencies....and as time has progressed, we continue to develop more efficient, cost effective and innovative approaches.**

## Problems with Traditional Document Management

- Voluminous
- Costly offsite storage required
- Risk of missing/lost documents
- Reduced efficiency, increased employee stress
- Single user access
- No disaster recovery mechanism (e.g. fires, floods, tornadoes)
- Workflow is manual and labor intensive



**Many of us have directly experienced the shortcomings of manual record systems – In the form of cost, problems with lost files, the limitation of only one person being able to read a file at a time, the lack of disaster recovery mechanisms, and more.**

## Benefits of Electronic Content Management

Elimination of  
hard-copy files



Rapid retrieval &  
distribution



Multiple user access &  
definable security rights



Improved  
customer service



Disaster  
recovery mechanism



Cost-savings  
(time and materials)



**With ECM we have begun to experience many benefits, including improved timeliness and customer service; cost savings; and reduction in employee stress.**

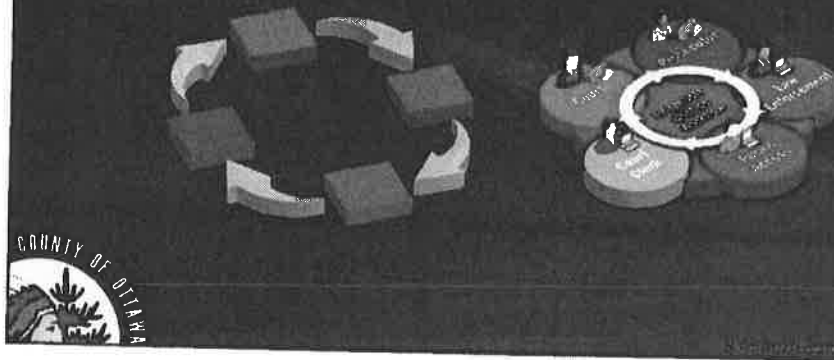
## Benefits of Electronic Content Management

### Workflow Automation

A key enabler of:

Employee Productivity

Customer Service improvement



**Another key benefit of an ECM system is the ability to workflow documents so they can electronically move through the system without the need for redundant data entry. Automating the workflow process also helps to decrease the potential for human error.**

## Ottawa County's Electronic Content Management System

- District Court – Grand Haven
- District Court – Holland
- District Court Probation Department
- Circuit Court – Trial Division
- Circuit Court – Juvenile Services
- Circuit Court – Friend of the Court
- County Clerk – Circuit Court Records
- County Clerk – Family Division Records
- County Clerk – Vital Records
- Probate Court
- Sheriff's Office
- Prosecutor's Office
- Community Mental Health
- Holland Police Department
- Grand Haven Public Safety
- GVSU Campus Police



*One of the most comprehensive  
court-based Electronic Content  
Management systems in the nation*

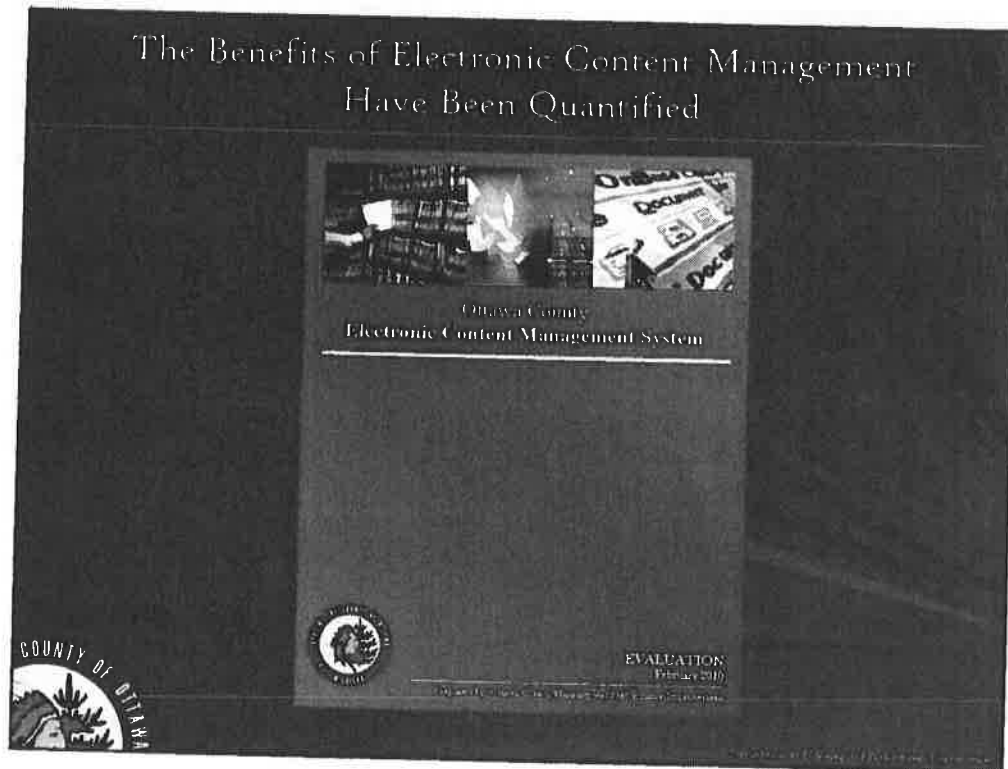
*Used by more than 450 employees*

*\$1.25 million initial County investment*

*Over 6 years of experience using  
Electronic Content Management*



**The Ottawa County experience shows how efficiencies multiply among the courts by having the full participation of the County Clerk, Sheriff, Prosecutor and others. We began the ECM implementation process in 2007 with several justice system offices participating – demonstrating the added benefits of true collaboration. The ECM system did require a substantial County investment, however, we continue to monitor savings and the anticipated return on investment.**



**One of the goals set by the County Board of Commissioners is to ensure taxpayer dollars are used to support cost-effective programs and services. The Planning Department assists the Board in accomplishing this goal by conducting outcome-based evaluations of select County initiatives, including the County's ECM system.**

**To the best of our knowledge, this 2010 Evaluation is the first full-scale analysis used to determine the actual time and cost-savings from an ECM system in Michigan.**



## Hard Data Exists to Verify the Efficiencies of Electronic Content Management

### Time Study and Materials Analysis

- First known evaluation of Electronic Content Management to utilize a comprehensive time study and materials analysis to verify actual efficiencies
- 480 hours of time study data collected
- 47 unique workflow processes analyzed
- Over 400 pages of time study and material-usage computations



**An extensive time study was conducted in 2009, clearly documenting savings related to ECM.**

### Verified Efficiencies (Hard Savings)

12,492 regular staff hours saved annually

452 overtime hours saved annually

549,007 less pages copied annually

7,257 less documents mailed annually

2,935 less file folders purchased annually

7 Lotus Notes licenses saved annually as a result of staff reductions

35 computers saved over 27 years as a result of staff reductions



**This is a summary of the verified efficiencies. One of the expectations of implementing an ECM system is that efficiencies will continue to improve as staff become more familiar with using the new technology.**

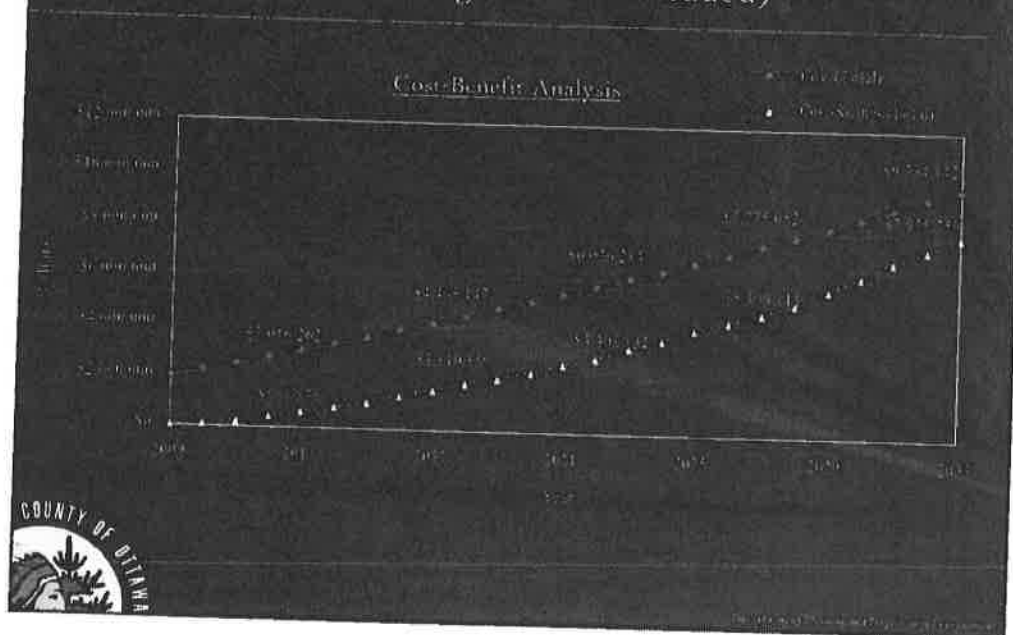
## Inefficiencies Stemming from Archaic State Statutes/Rules

- State of Michigan previously required the use of a paper file (RJA Sec 1427; MCR 1.109A)
  - Increase of 801,613 pages printed from computers annually
  - Extra Labor Costs
- State of Michigan required the use of Microfilm for permanent record archive
  - Increases equipment and supply costs
  - Extra Labor Costs
  - Reduced record protection
  - Facility costs (humidity controlled room)

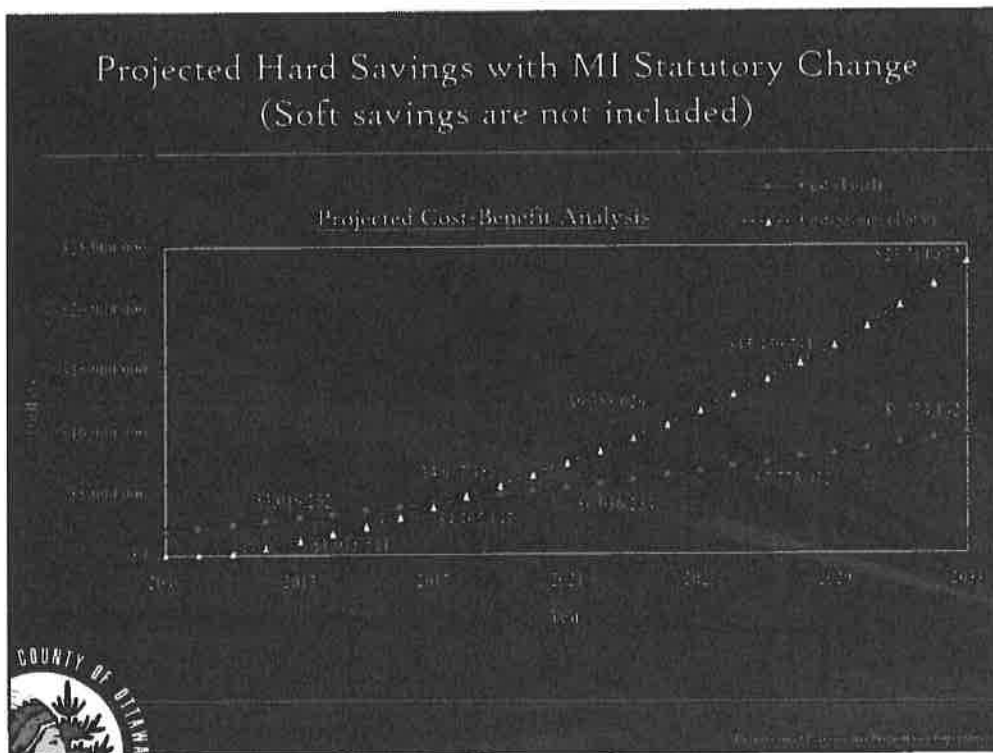


**At the time Ottawa County began using ECM, existing State statutes and court rules required staff to print documents from the ECM system so they could be archived in a hard-copy format. This resulted in significant increases in printer usage, paper usage and cost.**

# Hard Savings Gained Under Current State Rules (Soft savings are not included)



**Based on our evaluation, a positive Return on Investment (ROI) CANNOT be achieved as a result of the ECM implementation with legal requirements for the printing and retention of hard-copy court records. A positive ROI would require the yellow cost savings trend line to cross the red line, which represents system cost.**



**Based on this Ottawa County analysis, however, a positive ROI (with the yellow line crossing the red line) can be achieved in a few years if statutory and court rule changes are enacted, allowing for a paperless or paper on demand court environment.**

**The MSC is leading this effort with a recent amendment to MCR 1.109 and the work of the Court's Technology Implementation Committee. HB 4532 will further authorize the use of electronic court records and recognize electronic signatures, however there is more to be done...**

## Retention and Preservation of Electronic Documents

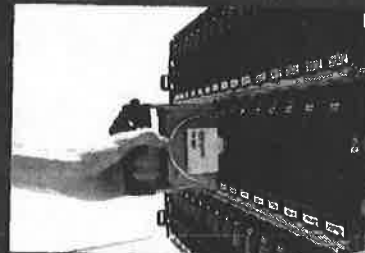
**Outstanding Concern:** Microfilm is the preferred method for permanent retention of records.

"Imaging is acceptable for active judicial record systems, within the trial court, but it shall not be used for purposes of records retention."

"Trial courts must maintain all original records for the statutory minimum retention period. If a court chooses to destroy an original record after this minimum retention period, it may do so only after microfilming that original record."

*Michigan Trial Court Case File Management Standards (2001)*

**Solution:** Permit the use of electronic content management systems for permanent retention.



**For your consideration, there are three related concerns that can be easily resolved.**

**The first Outstanding Concern deals with the long term retention of court documents. In Michigan trial courts, our current options for long term records retention seem to be paper or microfilm. Both paper and microfilm have limitations. For instance, there are few individuals in Michigan who have the technical aptitude to repair microfilm machines. As a result, if a machine breaks there is usually a long delay until a repair technician is available to service the unit. Additionally, the cost of repairs and replacement parts is expensive and the quality of microfilmed documents is questionable.**

**We anticipate updates in the Case File Management Standards recognizing digital records for retention purposes.**

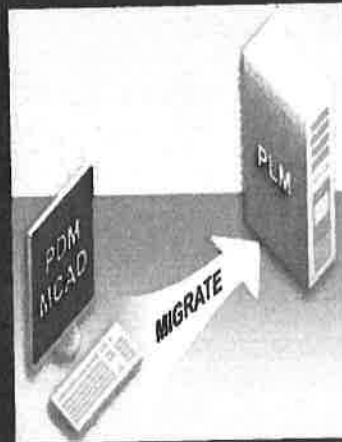
## Migration of Electronic Records

Outstanding Concern: Migration of electronic records believed to be problematic

"Attempting to migrate electronic records can be problematic, because new generations of technology are not always compatible with those they are replacing. Unfortunately, migration of electronic records can be very time consuming and expensive, and for long-term electronic records, it may need to be repeated many many times."

*Records Management Manual for Local Governments (June)*

Solution: Ensure the electronic content management system stores documents in an open, non-proprietary way



**The second Outstanding Concern is with the migration of electronic records, however, most vendors selected to implement an ECM system will have the technical expertise to ensure migration of records can occur seamlessly from one software platform to another.**

**Our experience in Ottawa County is with the Michigan based company – ImageSoft. A member of their staff explained it this way: "OnBase (the ECM software) stores documents in an open, non-proprietary way. Documents are generally stored in their native format with no proprietary encryption or conversion. Scanned documents are normally stored in TIFF format with Group IV compression. This is the format recommended in standards published by ANSI and AIIM to ensure interoperability and portability. In addition, OnBase stores critical metadata information in a standard relational database. Customers of OnBase have access to the database schema. If Hyland Software closed their doors, and was no longer available to support the OnBase product, a customer could use one of a number of available standard export tools or could easily build a custom export utility to export the document for import into another system."**

## Electronic Duplication of Original Records

Outstanding Concern: Digital media not considered 'human-readable'

"A suitable duplicate record (MCL 600.217(3)) is a human-readable copy, which means the duplicate record is either paper or microfilm; digital imaging does not meet the definition of a human-readable copy."

*General Records Retention and Disposal Schedule 210 - Michigan Trial Court*

Solution: Allow electronic documents to be considered readable media



**The third Outstanding Concern is that digital media is not yet considered "human-readable". Although this "human readable" limitation is a current barrier to recognizing digital media as valid court records, it seems to be contradicted by everyone who reads digital content on iPhones, iPads, Kindles and other devices today... Considering available technology, we are hopeful this restriction on digital images will soon change.**



## What Does the Future Hold?

- Continue to pursue statutory and rule changes allowing for record retention via ECM
- Monitor OnBase software developments for new applications
- Evaluate ECM efficiencies and deploy staff accordingly
- Review potential ECM applications for additional County Departments and add as resources permit
- Create additional user seats for local law enforcement and local units of government when requested
- Continue to focus on developing a positive ROI



**Overall, Ottawa County is pleased with the efficiencies and cost savings created by implementing an ECM system. We look forward to fully achieving a positive ROI as legal impediments are removed by innovative legislation, such as HB 4532, and further court rule changes.**

**Thank you for your time and consideration.**

For More Information

Kevin J. Bowling, JD  
Court Administrator  
20<sup>th</sup> Circuit and Ottawa County Probate Courts  
616-786-4100  
kbowling@miottawa.org

